Message

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Sent: 5/9/2019 6:39:02 PM
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Subject: OPPT/OPP/OCSPP Clips, 5/9/2019

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By: Ken Labbe, Office of Media Relations

Chemicals

California bans chemical linked to childhood brain damage
New testing results reveal high PFAS levels at Robinson fire department
New Mexico demands closure of air force lake

Pesticides
No herbicides/pesticides along transmission corridor in Maine

PFAS
Bipartisan PFAS Monitoring Bill Introduced in Congress

California bans chemical linked to childhood brain damage
California is banning a widely used pesticide that has been linked to brain damage in children, a major victory for public health advocates who have long fought to outlaw the toxic chemical in the agricultural industry.

Trump ignored the scientific conclusions of his own government experts when he reversed the EPA's effort to ban chlorpyrifos, as pesticide used on a variety of crops including almonds. Photo by Eric Sonstroem.

The state ban on chlorpyrifos, a pesticide used on almonds, citrus, cotton, grapes, walnuts, and other crops, follows years of research finding the chemical causes serious health effects in children, including impaired brain and neurological development. The US Environmental Protection Agency (EPA) had moved to ban the chemical under Barack Obama, but the Trump administration reversed that effort, rejecting the scientific conclusions of its own government experts.

"Countless people have suffered as a result of this chemical," the California EPA secretary, Jared Blumenfeld, said in an interview on Wednesday. "A lot of people live and work and go to school right next to fields that are being sprayed with chlorpyrifos … It's an issue of environmental health and justice."

The move in California, home to a vast agricultural sector responsible for growing a majority of the nation's fruits and nuts, is the latest example of the state resisting Trump's conservative agenda and policies. Environmental activists, however, have been pushing to stop chlorpyrifos use in the state for years in the wake of overwhelming evidence of harms caused by exposure.

"This is a very important and pivotal moment," said Angel Garcia, the chair of the Coalition Advocating for Pesticide Safety, who has worked with families affected by chlorpyrifos. "It sends the message to communities that they are starting to be heard … People will now have a safer future."

Epidemiological studies have linked chlorpyrifos to a number of health conditions. Pregnant women living near fields and farms that use the chemical have an increased risk of having a child with autism. Exposure to low to moderate levels of chlorpyrifos during pregnancy have also been associated with lower IQs and memory problems. California officials cited a recent review by a state panel on toxic air contaminants, which found the effects in children could occur at lower levels than previously understood.

"The science is definitive," said Blumenfeld, adding that he hoped the move would spur the federal government to take action. "This job really should have been done by the US EPA."

After environmental groups sued the Trump administration for reversing the Obama-era ban, a judge ordered the federal EPA to prohibit use of chlorpyrifos last year. But the government appealed that decision, and the courts have ordered the EPA to make a final decision about chlorpyrifos by July.

Activists have accused the Trump administration of backing the interests of DowDuPont, a chlorpyrifos manufacturer whose predecessor donated to the president.

DowDuPont is now "evaluating all options to challenge" California's ban, spokesman Gregg Schmidt said in a statement, adding that eliminating chlorpyrifos would "remove an important tool for farmers and undermines the highly effective system for regulating pesticides that has been in place at the federal level and in the state of California for decades." He also noted that the chemical is currently approved for use in roughly 100 countries.

The US banned chlorpyrifos for residential use back in 2001. An expert panel of toxicologists last year recommended a ban on all organophosphates, the class of pesticides that includes chlorpyrifos. More than 10,000 tons of organophosphates are sprayed in 24 European countries each year.

In California, the process of banning chlorpyrifos use across the Central Valley agricultural regions could take up to two years, officials said. In 2015, the state implemented tighter restrictions on the use of chlorpyrifos, but critics have argued that a full ban was the only way to protect the health of farming communities.

The California governor, Gavin Newsom, has also proposed $5.7 million in new funding to support the transition from chlorpyrifos to "safer, more sustainable alternatives."

Climate change is expected to worsen pest challenges in agriculture, which means the need to find alternatives to toxic chemicals is urgent, said Blumenfeld: "It's not just about chlorpyrifos. It's making sure we have a more holistic and nature-based approach."

New testing results reveal high PFAS levels at Robinson fire department

ROBINSON TWP. — A three-month-long investigation into PFAS contamination in Robinson Township has revealed significantly higher concentrations than initially detected at both Robinson Elementary School and the nearby fire department. A total of 2,142 parts per trillion of the health-hazardous substances was discovered at the Robinson Township Fire Department building at 12010 120th Avenue, on the same property as the township offices. A combined level of PFOS and PFOA — the two long-chain PFAS substances considered most likely to cause health concerns — was found at 643.61 ppt. Previous testing had found trace amounts of PFAS at the fire department.

Across the street at Robinson Elementary School, a total of 409 ppt PFAS was discovered in the latest round of testing, with PFOS and PFOA at 61 ppt. PFAS was first detected at the school in October, over the Environmental Protection Agency's lifetime health advisory of 70 ppt.

Grand Haven Area Public Schools officials said in a statement that the results indicate a source of PFAS was likely released historically on the property. Students and staff have relied on bottled water for drinking and cooking since the initial detection, and the district is in the process of acquiring a schoolwide filter.

Robinson Elementary is the only building in the district not connected to the Northwest Ottawa Water System. State testing of that system did not find traces of the substances last year.

PFAS was detected in water samples from all 10 wells dug by the Michigan Department of Environmental, Great Lakes and Energy (EGLE) in February, and in three soil samples at four locations.

Two wells north of the fire department exceeded the EPA limit, drawing a potential link to Class B fire fighting foam officials previously said was not used by the department or on the site.

Ottawa County officials have said during the investigation that Class B foam was neither historically nor currently used by the department. A statement on the Ottawa County Department of Public Health website, posted Thursday, now says the foam has been in use since the 1960s, and could have been applied during that time.

“It is possible that it was applied in the area during an era that pre-dates the knowledge of anyone currently associated with the RTFD,” the statement said.

The hydrogeologic investigation in the area also sought to determine the flow of groundwater, which in the township is located as shallow as 2-4 feet beneath the ground surface. It was determined groundwater flows north and south from the elementary school, and to the northeast near the fire department.

“Given seasonal fluctuations in groundwater elevations, as well as nearby agricultural irrigation demands, the direction of groundwater flow may change seasonally,” officials said.

Officials said further investigation will be necessary to assess groundwater north and east of the fire station.

Investigators have considered undocumented dump sites, highway construction materials and biosolid applications as potential sources. While none of these is ruled out, the investigation has not led to any of these as a likely culprit.

In November and December last year, the state’s department sampled more than 60 residential wells, mostly north of the school along 120th Avenue. Traces of PFAS were detected in 34 wells. Residents whose water contained PFAS were provided filters by the Michigan Department of Health & Human Services.

A statewide study concluded last year found PFAS contamination across the state, including in some municipal water services, in rivers, and at airports and military bases. Robinson Elementary is the only school contaminated with high levels of PFAS in the state.

New Mexico demands closure of air force lake

ALBUQUERQUE, N.M. — New Mexico's top prosecutor is demanding that the U.S. Air Force close a publicly accessible lake at Holloman Air Force Base, saying Thursday that the concentration of hazardous chemicals at the site poses a risk to public health and the environment.

In a letter obtained by The Associated Press, Attorney General Hector Balderas tells Air Force officials that recent sampling shows the contamination — linked to a class of chemicals known as per- and polyfluoroalkyl substances, or PFAS — are dozens of times higher than federal health advisory levels.

In the case of perfluorooctanoic acid, or PFOA, the samples showed the amounts were more than 84 times the advisory levels set by the U.S. Environmental Protection Agency.

"These sampling results exacerbate the state's concern for its citizens and the environment," Balderas wrote, noting that the presence of the chemicals "poses an ongoing severe threat to members of the public."

The state already is preparing to sue the Air Force over groundwater contamination at two bases, arguing that the federal government has a responsibility to clean up plumes of toxic chemicals left behind by past military firefighting activities.

Similar contamination has been found at dozens of military sites across the nation, and growing evidence that exposure can be dangerous has prompted the EPA to consider setting a maximum level for the chemicals in drinking water nationwide. Currently only non-enforceable drinking water health advisories are in place.

New Mexico environmental regulators first issued a notice of violation to the Air Force in 2018 for failing to properly address the contamination at Cannon Air Force Base near Clovis. They followed up earlier this year on Holloman, saying that base had violated its state permit and had yet to respond to concerns about the pollution near Alamogordo.

Balderas set a deadline of May 16 for the Air Force to respond to his latest request.

The Air Force has repeatedly declined to comment on the state's pending litigation but argues that its response to PFAS contamination in New Mexico and elsewhere has been aggressive.

The military has provided alternate water sources for those in areas where Air Force activity likely contributed to the contamination. Officials also have said they've been working with regulators to identify and implement long-term solutions to prevent exposure. Sampling also continues.

According to a report from independent federal investigators, the U.S. military as of 2017 had spent about $200 million on environmental investigations and other responses related to the chemicals at 263 installations around the country. The U.S. Department of Defense has said it could take years to determine a total price tag for PFAS contamination at military sites.

The attorney general's office also is asking that the Air Force make publicly available all information it has related to the risk of PFAS exposure at and around the Holloman and Cannon bases.

Balderas wrote that his requests won't diminish the contamination emanating from the bases, but it will help protect citizens from one pathway of exposure.

Holloman borders Alamogordo, where 31,000 residents rely on groundwater within the Tularosa Basin. Base officials there identified five known sites where the chemicals were released.

The lake is on base property and near the popular tourist destination of White Sands National Monument. Some visitors to the area have used the lake's shoreline as a camping spot.

No herbicides/pesticides along transmission corridor in Maine

HALLOWELL, Maine (AP) — Central Maine Power is assuring environmental groups that no herbicides or pesticides will be used to clear vegetation along a proposed 145-mile (233-kilometer) transmission line in western Maine. Doug Herling, CMP's president and CEO, made the announcement on Wednesday ahead of the final day of hearings by the Maine Department of Environmental Protection and the Land Use Planning Commission. He said the move goes above current regulations in place in Maine. The Bangor Daily News reports that herbicides became a key issue at previous hearings in Farmington. Meanwhile, the owner of the oil-fired Wyman power station is appealing the Maine Public Utilities Commission's approval of the project. NextEra Energy Resources said the PUC didn't adequately consider alternatives and said there was not sufficient evidence it would benefit Mainers.

Bipartisan PFAS Monitoring Bill Introduced in Congress

WASHINGTON – Today Sens. Debbie Stabenow (D-Mich.) and Mike Rounds (R-S.D.), and Reps. Dan Kildee (D-Mich.) and Jack Bergman (R-Mich.) introduced bipartisan legislation to sample water for contamination with the toxic fluorinated chemicals known as PFAS.

The PFAS Detection Act of 2019 would authorize the U.S. Geological Survey to test surface and groundwater for PFAS pollution, with a special focus on water near sites already known or suspected to be contaminated.

"Communities have a right to know the scope of this contamination crisis," said Scott Faber, EWG's vice president for government affairs. "EWG applauds Sens. Stabenow and Rounds and Reps. Kildee and Bergman for making PFAS pollution a priority."

EPA tests have detected PFAS pollution of public water supplies for 16 million Americans in 33 states. But based on unreleased EPA test results, EWG estimates that the water supplies for as many as 110 million Americans may be contaminated.

EWG has called on Congress and federal regulators to:

- *Find out where PFAS chemicals are coming from.* Adding PFAS chemicals to the Toxic Release Inventory would disclose who is releasing them into our water, soil and air. Polluters should also be required to warn neighboring communities of their potential exposure.
- *Find out where PFAS chemicals already are.* Requiring utilities and regulators to monitor for PFAS in drinking water, air and food, and improving the tools to measure contamination, would tell us the extent of the PFAS contamination crisis. Agencies like EPA and the Centers for Disease Control and Prevention should also conduct body burden testing, medical monitoring and health impact studies of people affected by PFAS contamination, especially military families.
- *Stop approving new PFAS chemicals.* An estimated 5,000 PFAS chemicals are in use, so there's no reason for the EPA or the Food and Drug Administration to let any more on the market. The EPA should also finalize a rule that would require companies to get the agency's approval before using some kinds of PFAS chemicals.
- *Stop adding more PFAS chemicals to the environment.* PFAS should be banned from consumer products, including cookware, food packaging, cosmetics, carpeting and clothing. They should also be banned from firefighting foam, especially foam used at civilian airports and in training exercises. The EPA should also regulate the discharge of toxic PFAS chemicals into our air and water.
- *Add PFAS to the Superfund cleanup law.* Classifying PFAS as a hazardous substance under the Superfund law will help communities begin to clean up contaminated sites. EPA should also make sure PFAS chemicals are properly disposed of. House and Senate legislators have introduced the PFAS Action Act of 2019 to do so.
- *Set an enforceable limit for PFAS in tap water.* More than 1,500 drinking water systems serving about 110 million Americans may be contaminated with PFAS chemicals. Setting a legal limit, known as a maximum contaminant level or MCL, will require utilities to treat tap water to remove or lower PFAS contamination. States should also set their own legal limits. Since the EPA has failed to start the process to establish an MCL, state action is essential and urgent
- *Direct the military to quickly clean up contaminated bases.* EWG has identified and mapped 106 military sites in the U.S. where drinking water or groundwater is contaminated with PFAS chemicals at levels that exceed the EPA's non-binding health advisory level.